

**MORRIS, NICHOLS, ARSHT & TUNNELL LLP**

1201 NORTH MARKET STREET  
P.O. BOX 1347  
WILMINGTON, DELAWARE 19899-1347  
(302) 658-9200  
(302) 658-3989 FAX

**KENNETH J. NACHBAR**  
(302) 351-9294  
(302) 425-3013 FAX  
KNachbar@morrisnichols.com

September 14, 2022

**FILED VIA ELECTRONIC FILING**

The Honorable Leonard P. Stark  
U.S. Court of Appeals for the Federal Circuit  
717 Madison Place, NW  
Washington, D.C. 20439

Re: Crystallex Int'l Corp. v. Bolivarian Republic of Venezuela, et al., No. 1:17-mc-151-LPS

Dear Judge Stark:

CITGO Petroleum Corporation ("CITGO") and PDV Holding, Inc. ("PDVH") write to express their objection to the Special Master and his Advisors' May through August 2022 fees. D.I. 475. CITGO and PDVH continue to object to the magnitude of the Special Master's fees. Initially, CITGO and PDVH agreed to a \$2 million cap on the Special Master's fees, as set forth in this Court's May 27, 2021 Order. D.I. 277 ¶ 15. In total, the Special Master has now charged more than \$3.5 million in fees. As stated in prior objections, CITGO and PDVH reiterate that the Special Master and his Advisors have not provided sufficient justification for these expenses. *See* D.I. 327 at 3; D.I. 371 at 1; D.I. 380 at 1; D.I. 413; D.I. 427 at 1; D.I. 437; D.I. 450; D.I. 466. For example, the Special Master seeks reimbursement for expenses incurred by Evercore without explanation. D.I. 475 at 2; D.I. 475.1 at 44. It is inappropriate for Evercore to once again begin incurring expenses prior to the entry of a sale procedures order and without a court directive to begin preparations for the marketing process.

At this time, CITGO and PDVH do not request further briefing on the pending fee requests but reserve all rights regarding the fees. CITGO and PDVH appreciate the Court's attention to this matter and understand that this filing requires expenditure of the Court's resources. CITGO and PDVH respectfully believe it is important to make their positions clear regarding each of the Special Master's fee submissions.

Respectfully submitted,

/s/ *Kenneth J. Nachbar*

Kenneth J. Nachbar (#2067)

cc: All Counsel of Record (Via E-Filing)